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Dr.Akalovsky:eb

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DEPARTMENT OF STATE

## Memorandum of Conversation

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EYES ONLY

March [illegible], 1962
TIME: 10:30 a.m.
PLACE: US Delegation Office

SUBJECT: Discussions on Berlin

PARTICIPANTS:

| United States | USSR |
|---|---|
| Mr. Kohler | Mr. Semenov |
| Mr. Bohlen | Mr. Kovalev |
| Ambassador Thompson | Mr. Zolotov |
| Mr. Akalovsky | |

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Mr. Kohler opened the conversation by inquiring whether there were any further comments on our paper or whether any further explanations were desired.

Mr. Semenov replied that he would prefer to listen to what Mr. Kohler had to say.

Mr. Kohler said it might be useful to summarize some of the points he had made yesterday. Referring to our paper, he stated that it was intended to register where we stood after the many conversations that had taken place between the two sides. We had found that in the Berlin question there were a number of facts we were prepared to live with on the basis of peaceful co-existence within the framework of the [illegible] situation existing today. Beyond this, we had found that both sides could agree on a number of points. It was for this reason that our paper provided for the [illegible] instance, [illegible] was needed. Furthermore, we believed that Berlin already had a peaceful status. Only small contingents of Western forces were stationed there, and we had been maintaining that status with respect to Soviet positions as well as to the positions of our allies and the FRG. Thus our paper was a statement of principles for the work to be done; it registered areas of agreement without highlighting disagreements.

Mr. Semenov

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Mr. Semenov stated that Mr. Kohler's summary prompted him to sum up the Soviet views. Noting that in the informal conversation yesterday the drafts given as working papers by each side to the other had been compared, he recalled that he had stated in that connection that, in the Soviet view, the US draft was not directed toward agreement but merely stated the unilateral view of the US delegation.

He continued by saying that the main Soviet position with regard to the German problem was that 17 years after the end of World War II conclusion of a German peace treaty was an absolute necessity. Such a treaty could be in the form of a single treaty with the two Germanies, or of separate treaties with each of the two Germanies. In other words, a settlement was required that would put an end to the conflicts arising in the absence of a peace settlement and would lay a solid foundation for peace and security in Europe. The Soviet Union believed that such a settlement was required in the interests of both sides and in the interests of strengthening peace, as well as normalizing the situation in West Berlin. He asserted that those who said that the situation in West Berlin was normal were closing their eyes to the developments since Wor' War II and to the dangerous situation arising from the fact that West Berlin was subject to occupation and had become a center of subversive activities against the GDR. The Soviet draft Mr. Gromyko had given the Secretary set forth the basic provisions designed to normalize the situation in West Berlin and to settle the question of access. With regard to free transit of civilians and freight, the USSR had given the US a working paper containing appropriate proposals which reconciled respect for the sovereignty of the GDR with free transit along the communication lines running through the territory of the GDR to West Berlin. As to the presence of Western forces in West Berlin, Mr. Gromyko had clearly stated the considerations of the Soviet Union on this subject and there was no need to state them again. As to military transport for UN or neutral forces, the Soviet proposals on that subject were set forth in Paragraph 3 of the Soviet paper on General Principles.

Mr. Semenov expressed the view that in analyzing the Soviet proposal carefully and without prejudice one must inevitably come to the conclusion that they were not intended to bring about any changes in the situation now existing in West Berlin [illegible] that city became a free and demilitarized city. If the United States believed that that city was already free, then why was the United States unwilling to state this and to terminate the occupation regime, providing at the same time appropriate guarantees. Mr. Semenov said that he had to confess that he did not understand many aspects of the US criticism of the Soviet document, both with respect to the general contents and individual parts. He said that in this connection he wished to emphasize the importance the USSR attached to the conclusion of a peace treaty. The motives by which the Soviet Union was guided in this matter had already been set forth very clearly and he did not wish to repeat them. He recalled that the borders of Germany had been defined in Potsdam and said that since then two states, i.e., the FRG and the GDR, had emerged in

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the territory of Germany. In addition, West Berlin had emerged as an independent political entity. He asserted that it was quite obvious that it was necessary to formalize and solidify the German borders, which were quite evident. This was necessary from the standpoint of peace and security in Europe. Neither the USSR nor the United States had said in what form this should be done, but the problem was there and it did not tolerate any ambiguity. The USSR had mentioned this in New York and Washington; our two Ministers were en rapport in this matter and they would apparently exchange views on this point here in Geneva.

Mr. Semenov then referred to the discussion yesterday on the question of non-transfer of nuclear weapons to the two Germanies. He recalled that this problem had also been discussed by the two sides earlier, including during the conversations in New York. The problem involved the two German states in particular. The Soviet Union believed that the interests of peace and security required that it be stated clearly and specifically that nuclear weapons would not be transferred to the GDR or the FRG either directly, or through third parties, or through the military organizations of which they were members. Mr. Semenov observed that this view was recorded in paragraph 7 of the Soviet draft principles. He said that it was hardly necessary for him to explain the reasons for the Soviet position on this question because the two sides understood each other. However, he wished to state that the United States had made a backward step in this important matter as compared to what it had stated earlier. This could not contribute to the bringing of our respective positions closer together or to the reaching of agreement we sought.

Referring to what he called the need for respect for the GDR sovereignty, Mr. Semenov said that the Secretary and other American officials had made statements to the effect that ceases could be reconciled with respect for the sovereignty of the GDR. However, the US draft principles contained no reference whatsoever to this point. Thus one had the impression that the draft failed to reflect even what the United States had stated in these negotiations. Mr. Semenov observed that perhaps the United States was bound by some considerations not related to the bilateral exchange of views between the US and the USSR. He asserted that it was difficult for the USSR to understand the position of the other side. In fact, in digesting the US paper one gained the impression that the US paper was a one-sided exposition of the extreme US position, that it did not live up to what had been stated by the United States, and that it was not directed at bringing the positions of the two sides closer together, although it did contain a number of points which deserved attention and consideration.

Mr. Semenov then referred to Mr. Kohler's statement that the United States wished to find a way toward understanding and thereby narrowing the gap between the respective positions of the two sides and that the US paper had been drafted in that sense. He asserted that such approach, of course, fully coincided with Soviet intentions. The difficulty was that the US paper reflected only the positions of the United States and did not provide for agreement on a number of questions requiring solution.

Mr. Kohler

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Mr. Kohler said he was a little disappointed at Mr. Semenov's statement, which he felt went back to old positions. As a result of the latest conversation between the Secretary and Mr. Gromyko, as well as of his own talk with Mr. Semenov yesterday, we had had the impression that we had finally come to a stage where each side took account of the other side's positions and of the facts of the existing situation. Mr. Kohler said he wished to assure Mr. Semenov that in preparing our paper we had tried to take account of every point which had arisen from the Soviet side in previous conversations and papers, including those received by Ambassador Thompson in Moscow. Therefore, he wished to review the US paper and demonstrate how we had taken into account or at least not challenged the Soviet positions. He said that in a sense the paper stemmed from what the Secretary had said to Mr. Gromyko, i.e., that in view of the fact that there was disagreement on some points the problem was how to provide for peaceful coexistence. If the paper were a real statement of our position, or a one-sided statement as Mr. Semenov had called it, it would certainly be quite different.

Referring to the preamble of the US paper, Mr. Kohler said it stated that both sides had had broad discussions and were able to agree on some principles. The preamble also indicated that the two sides wanted to continue discussions rather than let conflicts develop. Furthermore, it provided for a continuing forum for negotiations after our two governments agreed to the principles, as well as for later participation of the other two Powers primarily involved in the Berlin situation. Thus the preamble was only a statement of fact and of peaceful intentions.

With reference to paragraph 1, Mr. Kohler said that we had tried in paragraph 1(a) to sort out the general principles to which both sides had in fact stated they subscribed. However, it so happened that there was great disagreement as to how these general principles should be applied. For instance, we believed that the Soviet statement, far from providing freedom, provided for wide intervention in the life of West Berlin, would take away some characteristics now central to its viability, and would restrict access. However, the general principles set forth in paragraph 1(a) were an accurate reflection of what both sides could subscribe to. Mr. Kohler inquired of Mr. Semenov whether this was true, bearing in mind that there was disagreement as to the method of application.

Mr. Semenov claimed he did not quite understand Mr. Kohler's statement to the effect that his remarks represented retreat to old positions. He asserted that they reflected the positions maintained by the Soviet Union in its public statements, in its correspondence with the other side, and in private negotiations. The Soviet Union had tried to convince the United States that its position not only reflected its own interests but also the broad interests of peace. If

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One studied carefully the proposals and the recent statements by the Soviet Union, one would see that the USSR had taken account of the positions of its partners and that a number of its proposals had generated in that spirit. It was difficult to conduct productive negotiations in a situation where the USSR took account of the questions and desires of the other side while the other side pretended not to notice this. On the other hand, the US document, at least on the face of it, implied that there was agreement between the two sides but in fact it took account of no single position of the Soviet Union, or if it did it did so in a negative way. For example, the question of a German peace treaty in the US paper was linked to some very old positions or to a non-existent situation. The same was true of such matters as West Berlin, respect for the sovereignty of the GDR, frontiers, etc. If this was what the United States called taking into account the positions of the other sides, then he could not understand the meaning of the word.

Mr. Kohler suggested that if he went through the US paper paragraph by paragraph he could show that we had taken account, either positively or negatively, of every point Mr. Semenov had raised. Reverting to paragraph 1(a) of the US paper, Mr. Kohler observed that that paragraph contained not one word that had not been said by Soviet spokesmen or in Soviet documents. It was for this reason that he had tried to elicit specific confirmation from Mr. Semenov.

Mr. Semenov cited the biblical story about King Solomon and the child and said that paragraph 1(a), while indeed representing a part of what the USSR was saying did not take account of both the US and the USSR positions. Thus it amounted to cutting the position in two halves. Perhaps the United States believed that the part it desired was the better one.

Mr. Semenov wondered what was unacceptable to the United States in the Soviet proposals. He suggested that the Soviet paper be reviewed in order to see what the problems were. He recalled that he had expressed himself on the US paper yesterday and did not wish to repeat himself again.

He wondered what the US objected to and why it could not accept the various provisions in the Soviet paper. If the United States believed that the situation was normal and that nothing should be done, then he wished to state that he did not regard that to be the purpose of this meeting. The purpose of the two sides was to improve the abnormal situation. Observing that Mr. Kohler had already explained his views on some points, Mr. Semenov said that he would not dwell on them. Turning to paragraph 2 in the Soviet paper on principles, Mr. Semenov referred to the phrase "free demilitarized city". Recalling Mr. Kohler's statement that West Berlin was already a free city, he wondered how the term "free" could be reconciled with the fact that West Berlin was occupied. As to the second sentence in that paragraph: "The Parties will develop their relations with West Berlin as with an independent political entity"--he said that there appeared to be agreement on this point, that the positions of the two sides coincided and the sentence contained no challenge to the positions of either side. Therefore he wondered why the United States objected to the

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inclusion of such a provision.

Mr. Kohler expressed the view that the points raised in the Soviet paper had already been covered. He observed that the Soviet paper was not a statement of general principles but rather a rewrite of the Soviet proposals we had already known. All the Soviet Union appeared to have done was to use the title of general principles. On the other hand, the US paper went further than that: it recognized both the points of agreement and disagreement and set up a forum for negotiations to resolve problems without conflict. Therefore we did not regard the two papers as comparable.

Reverting to paragraph 1(a) of the US paper, Mr. Kohler reiterated that it set forth a principle we believed had been accepted by both sides. We had gone a long way to meet the Soviet view by referring to West Berlin; we were thereby leaving aside our own proposals that Berlin be reunited as one city which it was. In addition, we had also omitted reference to our insistence on the presence of Western forces and had not asked the USSR to subscribe to what it said it could not subscribe to and what it regarded as occupation status. Thus in this document we had taken into account the positions of both sides and had even dropped some of our own proposals. Referring to Mr. Semenov's citation of the Biblical story, Mr. Kohler observed that Moscow had played the role of Solomon and had cut the baby in two; what we were trying to do was to keep at least half of the baby alive.

Mr. Semenov replied that both sides had equal rights in these exchanges of views and said that he could not accept Mr. Kohler's statement implying that the Soviet proposals were being discarded. He wondered where the apparent unwillingness of the United States to discuss the Soviet proposals would lead us to.

Mr. Kohler pointed out that the Soviet proposals were intended to throw the United States out of West Berlin. However, the United States was not going to get out of West Berlin--period. He thought this was clear enough. The United States had not proposed to upset the Soviet position in any way; the challenge came entirely from the Soviet side. Unless this position of the United States was accepted as a fact, just as the Soviet Union had asked to us to accept a number of distasteful facts, the situation was dangerous. What the United States was trying to do was to establish peaceful coexistence in the face of real facts.

Mr. Semenov rejoined he thought Mr. Kohler saw one period while overlooking some other periods. Mr. Kohler's attitude reminded him of the classical saying that Jupiter was loudest when he was wrong.

Mr. Kohler replied that he was not angry but simply had wished to state a fact which he believed had long been understood.

Mr. Semenov said Mr. Kohler too should understand some points and should not be guided by emotions in negotiations. He then reiterated his question

whether

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whether the second sentence in paragraph 2 of the Soviet paper was acceptable to the United States. After all, the United States recognized that West Berlin was not part of the FRG, but rather a third entity in Germany. Recalling Mr. Kohler's reference to the presence of Western forces in West Berlin, Mr. Semenov suggested that that question be put aside for consideration by the two Foreign Ministers. He professed that he merely wished to see the logic of the US position for himself. He dealt with that problem and thought Mr. Kohler would agree that it was not irrelevant how he understood the US position.

(b)(1) (b)(5)

Mr. Kohler said that in view of the fact that our troops were going to stay in West Berlin the word "demilitarized" in the formula "free demilitarized city" was not a correct word. As to Mr. Semenov's remark that the presence of Western forces in West Berlin was contrary to West Berlin's freedom, Mr. Kohler suggested that it should be left for the West Berliners to decide whether they were free or not.

Mr. Semenov continued insisting that Mr. Kohler give him an answer as to the US attitude toward the second sentence in paragraph 2 of the Soviet paper on principles. He wondered what was bothering Mr. Kohler and what in that sentence was inconsistent with the US point of view. He asserted that that sentence in no way undermined the US position.

(b)(1) (b)(5)

Mr. Kohler replied that he could make three comments. First, we were bothered by the whole context in which that sentence was placed. Secondly, we were in disagreement with how that sentence was spelled out later in the paper; we did not believe that West Berlin had the elements necessary to support its position as a separate state. Finally, West Berlin had special ties to the FRG which were essential to its viability and welfare. In this connection, Mr. Kohler recalled his earlier remarks to Mr. Semenov about the various insurance, pension and welfare arrangements West Berlin had with the FRG. He expressed the hope that Mr. Semenov did not wish to deprive the West Berliners of these arrangements and benefits. In addition, he said that while West Berlin was a special political entity it was not wholly independent as long as our forces were responsible for its protection and had the reviewing responsibility with respect to the legislation. In fact the Soviet Union might regard this as an element of stability in Central Europe.

Mr. Semenov said that as far as welfare benefits were concerned he was in favor of [illegible] pensions to the victims of the cold war.

(b)(1) (b)(5)

Mr. Kohler wondered whether Mr. Semenov also had in mind persons who could not leave East Germany and go to West Germany.

Mr. Semenov replied in the affirmative. Reverting to the question of special ties between West Berlin and the FRG, he said that the USSR was not opposed to such ties and that agreement could be reached on this point. While both sides seemingly had the same position, under the surface the United States was against that position.

(b)(1) (b)(5)

Mr. Semenov

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Mr. Semenov then turned to the Soviet paper on general principles and said that the second subparagraph of paragraph 2 covered the same point which was covered in the United States' paper, i.e., that West Berlin should be free to choose its way of life and that the parties should undertake to respect its social order. Thus both sides were in agreement on this point.

As to the third subparagraph of paragraph 2, which dealt with the question of occupation regime, the United States had expressed its objections and the picture was clear.

Referring to the fourth subparagraph of paragraph 2 (re non-interference in internal affairs and re relations with outside world), Mr. Semenov recalled Mr. Kohler's earlier comments in which reference had been made to Africa. However he felt this was a quite different situation, which had nothing to do with African affairs. Furthermore, he wondered why the United States objected to the principle of non-interference in the internal affairs of West Berlin.

(b)(1)
(b)(5)

As to the fifth subparagraph of paragraph 2 (re viability), he observed that the same thought was contained in both the draft principles and therefore there was agreement on this point.

With reference to the sixth subparagraph on paragraph 2 (re nonparticipation in military arrangements), he thought the United States understood that the USSR did not wish West Berlin to be an advance post of military blocs. Since the United States had said that Berlin did not represent such a post he wondered why such a principle should not be included. Perhaps the United States intended to make West Berlin such a post but, as Mr. Khrushchev had said, in the military sense West Berlin was a mouse trap. Therefore, why not recognize this principle? After all, both sides had recognized neutrality in Austria, and nothing had happened--Austria was still alive. Austria maintained very close relations with West Germany and its population surely received pensions and other welfare benefits from West Germany. The US and USSR had had no disputes with regard to Austria since 1955. This very sensitive spot in Central Europe, this advance post of the cold war, should be neutralized, because it could raise the temperature and create a hot and dangerous situation. Neutralization of West Berlin should be in the interest of the United States as well.

Referring to the final subparagraph of paragraph 2 (re prohibition of Fascist and militaristic activities), Mr. Semenov said that Mr. Kohler had expressed his views on this point and that this question could be discussed at some appropriate time.

He then stated that he had reviewed this portion of the Soviet paper in order to answer Mr. Kohler's question concerning paragraph 1(d) of the US draft. As Mr. Kohler could see, on some points both sides had common ground; however the US draft failed to include certain points on which both sides seemed to be in agreement, at least in words, and those points were of substantial importance. So why not include those points so that we could take the course the United States had been speaking of.

Mr. Kohler

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Mr. Kohler said that in answer to this he could state that the whole Soviet paper lost its meaning since it was based on the concept of our getting out of Berlin. If our troops remained in Berlin, as they would, what was the meaning of the word "neutralized"? As to the Soviet provision dealing with revanchism, etc., Mr. Semenov was probably aware that there were some differences with regard to the definition of that term. Furthermore, while the Soviet paper stated in one place that there would be no interference in the internal affairs of West Berlin, in another place it provided for such interference.

Referring to Mr. Semenov's remark about West Berlin's being a mouse trap, Mr. Kohler said that he did not know whether Mr. Khrushchev had also said that we were the mouse. The fact was that we were committed to protect Berlin, but our presence there did not constitute a military threat. We were committed to the population of West Berlin as well as to our allies.

Mr. Kohler went on to say that our difficulty today was that the Soviet paper pushed the Soviet proposals which we had stated were not acceptable. As had been stated earlier, we had tried to develop a new approach. However, we could also reintroduce our proposals. For instance, we believed that we had good proposals for reunification of Berlin, but the USSR had stated they were unacceptable. We also believed that our proposal for the establishment of an international access authority, which would remove access from the area of conflict, was also a good proposal and would relieve tensions. It was a good way to reconcile freedom of access with what the USSR called respect for the sovereignty of the GDR. The fact was, however, that our paper left our proposals aside while the Soviet paper pushed what the Soviet Union believed to be a desirable objective from its standpoint. Our paper stated where both sides could agree and it set up a forum for further discussion of the problems that had not been resolved.

Mr. Semenov referred to Mr. Kohler's remark that the presence of Western forces did not make West Berlin neutral and asserted that this meant that West Berlin was an advance post of NATO. This was the reason why the Soviet Union had proposed that it be eliminated as such. With regard to the prohibition of revanchist and other activities, Mr. Semenov claimed this did not mean interference in internal affairs. It simply meant that the parties to the agreement, as well as the West Berlin authorities, would assume certain obligations. In this connection, he recalled the obligations assumed by the Allies after the end of the war to combat Nazism and to expunge militarism in Germany.

(b)(1)
(a)(5)

He then said that, in general, he hoped this exchange of views on Soviet paragraph 2 would not remain futile. While it was human to err, he preferred to err in the positive rather than the negative direction. He expressed the view that basically paragraph 1 in the US paper and paragraph 2 in the Soviet paper were quite similar.

Mr. Kohler observed that he was still not clear whether Mr. Semenov accepted paragraph 1(a) of the US paper.

Mr. Semenov

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Mr. Semenov replied that he had said what he had said. (b)(1)(5)

Mr. Kohler then suggested that paragraphs 1(b) and 1(c) of the US paper be taken up. On 1(c), he said that we would much prefer to state that both sides had agreed on the establishment of an international access authority as proposed by us. However, since the Soviet Union had not accepted our proposal and had in fact proposed that access be restricted and placed in the hands of the GDR, perhaps we should leave this out and discuss access and transit procedures, as well as other relationships of West Berlin, in an appropriate body. The United States was prepared to do so and, who knows, perhaps we could convince the USSR that the objective of relieving tensions in Europe required that access be removed from the area of tensions, while still making it compatible with what the USSR called respect for the sovereignty of the GDR. This paragraph was a statement of general principles both sides could agree upon and of peaceful intent. Mr. Kohler expressed the view that agreement should be possible on this point.

(b)(1)(5) Mr. Semenov inquired whether Mr. Kohler's comment with regard to the access authority meant that the US was withdrawing its proposal.

Mr. Kohler replied that this meant that we were not trying to push our proposal in our paper and that we were only trying to record the situation as it existed. As far as interim steps were concerned, since the US had proposed a way of reconciling access with what the USSR called respect for the sovereignty of the GDR and the Soviet Union had turned down that proposal, and since the Soviet Union had advanced its own proposals on this subject which were not acceptable to us, we had registered that for the time being things should be as they were and that then in the forum referred to in the preamble and in paragraph 1 (b) we would discuss these questions with the hope we could arrive at an agreed solution.

(b)(1)(5) Mr. Semenov said that as far as paragraph 1 (b) was concerned he believed it had been covered in the exchange of views which had taken place earlier in the present conversation. Turning to access, he recalled his statement of yesterday that if agreement on access was reached this accord would function on the basis of [illegible] provide for in the [illegible] exchange of letters. He went on to say that from Mr. Kohler's comments of yesterday with regard to the Soviet paper on access, he had concluded that on some points there was lack of clarity. Therefore it would perhaps be useful to review these points so as to [illegible] either to the US or

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the USSR and to find out what hindered agreement, i.e., whether it was some specific language or formulation, or something else.

He then said that he wanted to make a clarification in connection with the conversation which had taken place yesterday. He recalled that in his conversation with the Secretary, Mr. Gromyko had emphasized that the Soviet proposal for an international access authority was linked to the Soviet proposal on troops. As far as the Soviet paper on transit was concerned, it dealt with civilian access and was linked to the status of West Berlin. He asserted that there were no tricks here; he had reported to his Minister about the conversation of yesterday and the Minister had asked him to convey to the American side that when the Soviet Union had been developing its working paper on transit it had no hidden thoughts and had acted with the purest of intentions. If the US had some doubts or misgivings they were perhaps due to some misunderstanding. The Soviet paper on transit was based on accepted international practice and provided for obligations to be assumed by the GDR. The paper also attempted to reconcile respect for the sovereignty of the GDR with freedom of access. He then said that in view of the shortness of time he wished to obtain US views on the Soviet document although only in terms of the commas, rather than the full stops, which stood in the way toward agreement.

Mr. Kohler emphasized that the question of access was a very critical one, as we had seen recently, and one that could lead to conflict. He stressed that the Soviet side had obligations to us in this respect, which vastly predated the creation of the so-called GDR, and we would like to think that the USSR would continue to honor those obligations. He was glad to hear clarifications with regard to access but pointed out that he was still unclear as to whether access was linked to the Soviet proposal on the status of West Berlin.

Mr. Semenov replied that it was not linked to the Soviet proposal on status but merely to status as such.

Mr. Kohler observed that this was what he wished to know. He then said that the problem of access was vital to West Berlin. While it was true that [illegible] that [illegible] transport, [illegible] and [illegible] this point. [illegible] that we had not said this in [illegible], but merely to indicate that we had been aware of the great importance of this problem when we had made our proposals. We believed that it would be desirable to arrange for peaceful coexistence in Central Europe and similarly to remove this problem from the area of conflict. We believed that there had been sufficient precedent which indicated that our proposals for an international access authority would not cause injury to the so-called GDR.

Mr. Kohler

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Mr. Kohler continued that he did not wish to say that we did not find some positive points in the Soviet papers. However, we did not believe that the solution proposed by the USSR was as good as the one proposed by us and in some respects it went beyond what we could accept. Basically, we believed it created a situation where very many conflicts could occur. For instance, East Germany might refuse admission to certain individuals or freight, or one side or the other in both Germanies might use this problem for dispute, which would give trouble to both of our countries. Thus, our proposal sought to avoid conflict, whereas the Soviet proposal assumed a lot of conflicts and in fact proposed a four-power commission to resolve conflicts. We believed that it was better not to have conflicts in the first place.

Mr. Semenov replied he believed this assumption on Mr. Kohler's part was hardly justified. The USSR had developed its working paper with a view to having no conflict and clearly settling all issues. The USSR did not believe that there would be conflicts. It had made a step toward the US position with regard to an international access authority not because it had assumed conflicts but because the United States had sought guarantees. Mr. Semenov then said that if Mr. Kohler was prepared to give more detailed views on this subject he would be happy to hear them, because the USSR had presented these papers as working papers that were open for discussion. On the other hand, if the US was not disposed to discuss this matter, although it had been very much interested in it in the past, then, of course, each side would have to suit itself.

Mr. Kohler said that he would make some general observations, without going into any detail. He stated that we had understood from the conversations in New York and Washington that arrangements with regard to access would be made between the US and the USSR and that then it would be a matter for each side to make arrangements with the respective political entities in Germany so that the agreement be carried out. This would supersede the existing arrangements. On the other hand, the Soviet proposal envisaged a change in the status of West Berlin and provided that West Berlin would have to enter into arrangements directly with the GDR, something the West Berliners would hardly be prepared to accept because of their fears with regard to the intentions of East Germany.

[illegible] If the US was not prepared to deal with the GDR, the USSR was prepared not to place that burden on the US and would itself make arrangements with the GDR. As to Mr. Kohler's remark that West Berlin was not prepared to talk to the GDR or make arrangements with it, that reminded him of a capricious infant who refused to talk and merely pointed his finger at what he wanted to have. This was no way of dealing with a state. While there would be no blockade or anything like that, because the objective of the USSR was to establish a tranquil situation, still the GDR was a state and its sovereignty must be respected and recognized,

particularly

particularly if someone wished to use its services. He asserted there was some inconsistency in the US position because, on the one hand, the US stated that it was prepared to reconcile access with the sovereignty of the GDR while it refused to do so, on the other. This he thought was an unrealistic position. The USSR was prepared to meet the US in this matter to the maximum, because it believed that this question should not and could not be an obstacle to agreement between the two sides.

Mr. Kohler commented that he believed that there would be some concern even on the Soviet side if West Berlin dealt with this question on this scale. As the Secretary had said, residual sovereignty in West Berlin was in the hands of the Western Allies and it had been we who had suspended the application of the West German Constitution which had made Berlin a Land of the FRG. Referring to the second part of paragraph 1 of the Soviet paper on transit, Mr. Kohler said that the USSR did not wish to confirm what it called the occupation of West Berlin. Therefore we had tried to spare the Soviets this. For our part we had made it clear to the USSR that we were not prepared to recognize the GDR, although we were prepared to adjust ourselves to that situation and not seek to change it by force. On the other hand, the Soviet paper asked us in that paragraph to confirm the sovereignty of the GDR. Another point was that the Soviet paper, while providing for agreement as between our two sides, required that West Berlin negotiate with the GDR. This meant that these arrangements would and could be determined only by agreement as between these two. This was tantamount to buying a pig in a poke.

Referring to time limit, Mr. Kohler observed that while this was connected with the Soviet proposals on principles it also appeared to relate to the question of transit. He said he did not know how long it would take to resolve these problems. The USSR proposed that the agreement should live 3-5 years, but we were not sure that we could settle these problems in that time. Noting that these were his general observations, Mr. Kohler said that he could go into greater detail at some time if Mr. Semenov so desired.

Mr. Semenov interjected that he was prepared to meet again and that he was at Mr. Kohler's disposal if the latter had any questions.

Mr. Kohler went on to say that we disagreed that the Soviet paper on principles [illegible] of the importance of the problem and had recognized [illegible] in a [illegible]. He thought that the four-power commission suggested by the USSR could be [illegible] of the [illegible] proposed by us. Finally, Mr. Kohler referred to the question the Secretary had raised in his conversation with Gromyko with regard to unanimity in the four-power commission proposed by the USSR and noted that we had received no reply as yet.

Mr. Semenov replied that the question of the voting procedure in the international authority was a detail and could be discussed at a later date. He

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observed that so far there had been no discussion of the composition of that body. In conclusion, Mr. Semenov referred to Mr. Kohler's remarks on the four-power commission and said he wished to state that Mr. Kohler's remarks reflected his, Mr. Kohler's, views whereas his own views were reflected in his own statements. He said he wished to make this clear so that there be no misunderstanding.

It was agreed that the same group would meet again 10:30 a.m., March 26, 1962.

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